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3 November 1954

MEMORANDUM FOR: DEPUTY DIRECTOR (PLANS)

SUBJECT: Notes for Briefing of "The Task Force on Intelligence Activities", (i.e., Clark Group)

As you only have thirty minutes for this preliminary exercise, it is suggested that you touch lightly on items A and D and utilize most of your time on items B and C.

Legislative Basis**A. National Security Act of 1947.**

The National Security Council and the Central Intelligence Agency were both established by the National Security Act of 1947. The Act provided that the CIA should:

1. Coordinate the intelligence activities of the several government departments and agencies.
2. Correlate and evaluate intelligence relating to national security.
3. Advise the NSC concerning such intelligence activities of the government departments and agencies as relate to national security.
4. Make recommendations to the NSC for the coordination of intelligence activities.
5. Perform, for the benefit of the existing intelligence agencies, such additional services of common concern as the National Security Council determines can be more efficiently accomplished centrally.

This document has been approved for release through the HISTORICAL REVIEW PROGRAM of the Central Intelligence Agency.

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The legislative basis for covert operations and for espionage and counter-espionage is found in the above provisions. The National Security Council issued various Intelligence Directives to implement the provisions of the Act.

Implementing Directives

B. National Security Council Intelligence Directive Number 5.

In December of 1947, the NSC issued NSCID 5 -- the first of the directives to CIA bearing on clandestine operations. NSCID 5 is the basic document that authorizes and directs espionage and counter-espionage operations. It directs the DCI to conduct all organized Federal espionage and counter-espionage outside the U.S. and its possessions, except for certain agreed activities conducted by other departments and agencies. These activities pertain to the conduct of espionage and counter-espionage by the military services for the express purpose of protecting their organizations when located in foreign territory.

This Directive (NSCID 5) makes DCI responsible for:

1. Coordinating covert and overt collection of intelligence.
2. Coordinating the use of casual agents employed by other IAC agencies with the organized covert activities.
3. Disseminating intelligence information to other agencies.
4. Coordinating espionage and counter-espionage with the senior U.S. representative and informing the senior military commander in general of clandestine collection activities conducted in or from an occupied area.
5. Planning service support of espionage and counter-espionage projects jointly with the Joint Chiefs of Staff.
6. Placing CIA personnel who are conducting espionage and counter-espionage operations in an active theaters of war under the direct command of the theater commander.

**C. NSC 5412 - Basic Charter for Covert Operations.
(Political, Psychological and Paramilitary)**

In the latter part of 1947 the NSC had been deliberating on the possibility of supplementing its overt foreign activities with covert measures. These deliberations were translated into action when Czechoslovakia fell to the Communists and we had no means to prevent it, and when the Italian elections of 1948 were barely salvaged by a series of impromptu political operations. Thus, on 18 June 1948, the NSC directed that a new office be created within CIA to plan and conduct covert operations; and, in coordination with the Joint Chiefs of Staff, to plan and prepare for the conduct of such operations in wartime. The initiation of U.S. covert operations in time of "peace" was a landmark in U.S. National policy.

A covert operation is one so planned and executed that U.S. responsibility for it is not evident, and, if uncovered, the U.S. Government can plausibly disclaim any responsibility.



NSC 5412, dated 15 March 1954 is our basic charter. This paper states that covert operations will be used to support U.S. foreign and military policies, will be consistent with such policies and that they must be conducted in such a manner that any such operation can be disclaimed by this Government. NSC 5412 requires that covert operations be correlated with all espionage and counter-espionage operations of this Government under the overall control of the Director of Central Intelligence.

Prior to September 1953 we received our guidance for the conduct of covert operations from representatives of the Departments of Defense and State, and at times and to a lesser degree from the former Psychological Strategy Board. We now receive our principal guidance through the newly established Operations Coordination Board, of which our Director is a member.

Coordinating Agreement with Defense

D. Command Relationships Between the CIA Organization and the Armed Forces in Active Theaters of War Where American Forces are Engaged.

This paper is an agreement approved by DGI and JCS which establishes CIA's relationship with the military services in war. Five of its principal features are:

- 1. In active theaters of war or in other areas where U.S. Forces are engaged in combat operations, CIA (forces) retain their organizational integrity.**
 - 2. The exercise of control by CIA over CIA Forces, corresponds to that of the military services over their respective component forces as set forth in the document pertaining to "Joint Action of the Armed Services."**
 - 3. The authority of Theater Commander over CIA Forces in his theater corresponds to that which he exercises over military forces assigned to his command.**
 - 4. CIA operations which have delicate political or diplomatic implication will be conducted independently under the control of the DGI. Such operations within, mounted from, or staged through theaters of war, will be coordinated with the JCS. Theater Commanders will be informed and the necessary military support will be assured by the Joint Chiefs of Staff.**
 - 5. Independent unconventional warfare operations conducted by JCS Commanders will be coordinated with CIA.**
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